

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re: )  
 ) Bankruptcy Case  
Eagle Properties and Investments LLC ) No. 23-10566-KHK  
 ) Chapter 7  
Debtor. )

**ORDER AUTHORIZING OPERATION OF DEBTOR'S BUSINESS**

UPON CONSIDERATION of the Trustee's motion pursuant to 11 U.S.C. §§ 105 and 721 authorizing the operation of the Debtor's business related to the rental of the Properties<sup>1</sup> for a limited period of time ("Motion") (Doc. No. 389), and

IT APPEARING TO THE COURT that the relief requested in the Motion is in the best interests of the estate and creditors; it is hereby

**ORDERED:**

1. The Motion is GRANTED as set forth herein;
2. The Trustee is authorized to operate the rental business of the Debtor through May 31, 2025, which date may be extended by order of this Court;
3. Subject to the cash collateral rights of all parties, to the extent utilities, insurance premiums, title reports, re-keying expenses or other reasonable, necessary and documented costs associated with the maintenance, upkeep, operation and repair of the Properties are required, consistent with the order approving the employment of Asset Manager, the Trustee will pay those costs directly in his discretion or by reimbursing the Asset Manager.

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<sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Motion.

4. The Trustee shall file monthly reports and summaries of the operation of the business, including a statement of receipts and disbursements, commencing following the month of April 2024 through the date which the Trustee ceases receiving rents, with the first report being due May 21, 2024 and cover the period ending April 30, 2024 and all subsequent reports being due on the 21<sup>st</sup> day of the calendar month.
5. The Trustee is authorized to advance up to Five Thousand Dollars (\$5,000.00) from unencumbered estate funds to the Asset Manager to pay expenses approved by the Trustee for the purpose of maintaining and preserving the Properties until such time as the properties are sold. The Asset Manager shall hold the funds in his Trust Account and provide a monthly account reconciliation report to the Trustee. The estate shall be reimbursed for these expenses upon the closing of the sale of the property for which the expense was made.

Dated: Apr 24 2024

/s/ Klinette H Kindred

Klinette H. Kindred  
United States Bankruptcy Judge

Entered On Docket: Apr 25 2024

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
202.689.2800

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND NO OBJECTION:

OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314  
703.557.7176

By: /s/ Michael Freeman  
Michael Freeman

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1**

I HEREBY CERTIFY that all necessary parties have been served with or endorsed the above-referenced order.

/s/ Dylan G. Trache  
Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY**  
**PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

Brian Kenneth Madden  
Brian K. Madden, P.C.  
PO Box 7663  
Arlington, VA 22207

Nancy Greene  
N D Greene PC  
3977 Chain Bridge Rd, Suite 1  
Fairfax, VA 22030

Christopher A. Jones  
Whiteford Taylor & Preston, LLP  
3190 Fairview Park Dr., Suite 800  
Falls Church, VA 22042

Jeffery T. Martin, Jr.  
John E. Reid  
Martin Law Group, P.C.  
8065 Leesburg Pike, Ste 750  
Vienna, VA 22182

Joshua David Stiff  
Whiteford Taylor Preston LLP  
249 Central Park Avenue, Suite 300  
Virginia Beach, VA 23462

4858-6203-5894 v.6

In re:  
Eagle Properties and Investments LLC  
Debtor

Case No. 23-10566-KHK  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0422-9  
Date Rcvd: Apr 25, 2024

User: LilianPal  
Form ID: pdford9

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Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 27, 2024:

Recip ID	Recipient Name and Address
	+ Brian Kenneth Madden, Brian K. Madden, P.C., PO Box 7663, Arlington, VA 22207-0663
RE	+ Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 6629 Old Dominion Dr, McLean, VA 22101-4516

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpreion04.ax.ecf@usdoj.gov	Apr 26 2024 00:36:00	UST smg Alexandria, Office of the U. S. Trustee, 1725 Duke Street, Suite 650, Alexandria, VA 22314-3489

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 27, 2024 Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 25, 2024 at the address(es) listed below:

Name	Email Address
Barry W. Spear	on behalf of Creditor Aero Mortgage Loan Trust 2019- 1 Barry.Spear@bww-law.com bankruptcy@bww-law.com
Bradley J. Swallow	on behalf of Defendant Main Street Bank bswallow@fblaw.com
Bradley J. Swallow	on behalf of Creditor MainStreet Bank bswallow@fblaw.com

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Carl A. Eason	on behalf of Creditor Lincoln Automotive Financial Services bankruptcy@wolriv.com
Christian K. Vogel	on behalf of Interested Party Primis Bank kvogel@vogelandcromwell.com
Christian K. Vogel	on behalf of Defendant Primis Bank f/k/a Sona Bank kvogel@vogelandcromwell.com
Christopher A. Jones	on behalf of Debtor Eagle Properties and Investments LLC cajones@whitefordlaw.com clano@whitefordlaw.com,dchaney@whitefordlaw.com
Christopher L. Rogan	on behalf of Defendant Shail Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Creditor Bala Jain LLC crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Ishwer Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Bala Jain LLC crogan@rmzlawfirm.com
Corey Simpson Booker	on behalf of Creditor Atlantic Union Bank corey.booker@atlanticunionbank.com
Craig M. Palik	on behalf of Creditor Trinity Universal Insurance Company cpalik@mhlawyers.com cpalik@yahoo.com;dmoorehead@mhlawyers.com;cpalik@ecf.inforuptcy.com;kmadden@mhlawyers.com;mnickerson@mhlawye rs.com
David S. Musgrave	on behalf of Creditor Fulton Bank N.A. dmusgrave@gfrlaw.com, vhilbun@gfrlaw.com
David S. Musgrave	on behalf of Defendant Fulton Financial Corporation dmusgrave@gfrlaw.com vhilbun@gfrlaw.com
Dylan G. Trache	on behalf of Trustee H. Jason Gold dylan.trache@nelsonmullins.com linnea.hann@nelsonmullins.com;alexandria.tracy@nelsonmullins.com;mari.cooper@nelsonmullins.com
Elizabeth Husebo	on behalf of Defendant Daniel J. Kotz ehusebo@grsm.com
Elizabeth Husebo	on behalf of Defendant First Class Title Inc. ehusebo@grsm.com
Erik W. Fox	on behalf of Creditor Vienna Oaks Office Center Condominium efox@reesbroome.com rhurley@reesbroome.com;rchambers@reesbroome.com;pgoodwine@reesbroome.com
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Hannah White Hutman	on behalf of Creditor Bank of Clarke County hhutman@hooverpenrod.com scurtis@hooverpenrod.com;hooverpenrodplc@jubileebk.net
J. P. McGuire Boyd, Jr	on behalf of Defendant Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Creditor Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Defendant Bank of Clarke County mboyd@williamsmullen.com
Jack Frankel	on behalf of U.S. Trustee Gerard R. Vetter jack.i.frankel@usdoj.gov USTPRegion04.ax.ecf@usdoj.gov;paula.f.blades@usdoj.gov;robert.w.ours@usdoj.gov
James R. Meizanis, Jr.	on behalf of Creditor Virginia Partners Bank jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
Jeffery T. Martin, Jr.	on behalf of Debtor Eagle Properties and Investments LLC jeff@martinlawgroupva.com martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

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Jeffery T. Martin, Jr.

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Jeffery T. Martin, Jr.

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Jeremy B. Root

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Lee S Raphael

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Nancy Greene

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Nancy Greene

on behalf of Plaintiff Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Professional N D Greene PC ndg@ndglaw.com

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sharron.fay@troutmansanders.com;natalya.diamond@troutman.com

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Stephen W. Nichols

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TOTAL: 49